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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,867

03/03/2004

Hugues Cheron

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08/10/2004

OLIFF & BERRIDGE, PLC

P.O. BOX 19928

ALEXANDRIA, VA 22320

EXAMINER

NEGRON, ISMAEL

ART UNIT

PAPER NUMBER

2875

DATE MAILED: 08/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/790,867	Applicant(s) CHERON ET AL.	
	Examiner Ismael Negron	Art Unit 2875	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>20040303, 20040603</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over HANEDA ET AL. (U.S. Pat. 4,996,634) in view of SUZUKI (U.S. Pat. 4,809,144).

HANEDA ET AL. discloses a car bumper having:

- **an outside skin formed by a wall of plastic material** (as recited in claims 1 and 10), Figure 3, reference number 1;
- **a light unit** (as recited in claims 1 and 10), Figure 3, reference number 10;
- **the light unit having a housing** (as recited in claims 1 and 10), Figure 3, reference number 10;
- **the outside skin of the bumper forming at least part of the lighting unit** (as recited in claims 1 and 10), Figure 3; and
- **the outside skin of the bumper forming the housing** (as recited in claims 2 and 8), Figure 3.

HANEDA ET AL. discloses all the limitations of the claims, except:

- the light unit having a glass for enabling light emitted by the light source to be diffused (as recited in claims 1 and 10);

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- the glass being applied to the housing and fixed thereto (as recited in claim 3);
- the glass being snap-fastened to the housing (as recited in claim 4);
- the light unit also including a gasket providing a seal between the glass and the housing (as recited in claim 4);
- the glass having an annular skirt (as recited in claim 5);
- the housing having a peripheral groove for receiving the annular skirt and having a bottom surface lined by the gasket (as recited in claim 5);
- the housing including a vent for ventilating the inside volume (as recited in claim 6);
- the light unit having light emitting diodes (LED) as the light source (as recited in claim 7); and
- the glass being the part of the lamp formed by the outside skin (as recited in claim 9).

SUZUKI discloses a car headlamp having:

- **a housing** (as recited in claims 1 and 10), Figure 1, reference number 1;
- **a glass** (as recited in claims 1 and 10), Figure 1, reference number 2;
- **the glass being applied to the housing and fixed thereto** (as recited in claim 3), as seen in Figure 1;

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- **the headlamp including a gasket providing a seal between the glass and the housing** (as recited in claim 4), Figure 1;
- **the glass having an annular skirt** (as recited in claim 5), Figure 1;
- **the housing having a peripheral groove for receiving the annular skirt and having a bottom surface lined by the gasket** (as recited in claim 5), Figure 1; and
- **the housing including a vent for ventilating the inside volume** (as recited in claim 6), Figure 1, reference number 4.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the headlamp of SUZUKI as the light unit of the bumper of teachings of HANEDA ET AL. to prevent the interior of the light unit to accumulate moisture, as per the teachings of SUZUKI.

Regarding the use of LED as the light source (as recited in claim 7), the Examiner takes Official Notice that the use of LEDs is old and well known in the illumination art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to substitute an LED for the light source in the system of Jones et al.. One would have been motivated since LEDs are recognized in the illumination art to have many desirable advantages, including reduced size, high efficiency, low power consumption, long life, resistance to vibrations, and low heat production, over other light sources.

Regarding the glass being part of the outer skin (as recited in claim 9), the Examiner takes Official Notice that the using such glass as part of the outer skin is old

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and well known in the illumination art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the glass of JONES et al. as part of the outside skin of the bumper/lamp combination of HANEDA et al. and SUZUKI. One would have been motivated maintain the aesthetic design profile of the outer skin and to provide a smoother surface with lower drag.

Relevant Prior Art

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Riley et al. (U.S. Pat. 3,780,282), **Pierson** (U.S. Pat. 4,290,098) and **Kasboske** (U.S. Pat. 5,146,392) disclose vehicle lamps having a housing, a lens and a gasket located between the lens and the housing for providing a seal.

Bals et al. (U.S. Pat. 4,750,093), **Hurley et al.** (U.S. Pat. 4,937,710) and **Nagengast et al.** (U.S. Pat. 5,251,111) disclose vehicle lamps having vents for ventilating the housing interior volume.

Jones et al. (U.S. Pat. 5,850,803) disclose motor vehicles having outer skins with integral light source assemblies, the lens of such assemblies forming part of the vehicle's outer skin.

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Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (703) 872-9306.

4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications maybe obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.


Inr

August 3, 2004


JOHN ANTHONY WARD
PRIMARY EXAMINER